

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:
CHENG ET AL.

CASE NO.: CL2027 US NA

APPLICATION NO: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

TITLE: INCREASING CAROTENOID PRODUCTION IN BACTERIA
VIA CHROMOSOMAL INTEGRATION

Assistant Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF BIOLOGICAL CULTURE DEPOSIT

Sir:

I, S. Neil Feltham, declare that:

I am an attorney of record for the owner of the above-identified application.

Cultures of the following biological materials have been deposited with the following international depository:

American Type Culture Collection (ATCC)

10801 University Boulevard, Manassas, VA, 20110-2209, U.S.A.

under conditions that satisfy the requirements of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. A copy of the receipt issued pursuant to Rules 7.3 and 10.2 (stating the term of the deposit) is attached.

Depositor Identification	Int'l. Depository	
Reference	Designation	Date of Deposit
Plasmid pCP20	ATCC# PTA-4455	June 13, 2002
<i>Methylobacter</i> 16a	ATCC# PTA-2402	August 22, 2000
WS#124 <i>E. coli</i> strain <i>P_{T5}-dxs P_{T5}-idi P_{T5}-ygbBP yjeR::Tn5, pPCB15</i>	ATCC# PTA-4807	November 20, 2002
WS#208 <i>E. coli</i> strain <i>P_{T5}-dxs P_{T5}-idi P_{T5}-ygbBP P_{T5}-ispB, pDCQ108</i>	ATCC# PTA-4823	November 26, 2002

I further aver that all restrictions on the availability to the public of the culture will be irrevocably removed upon the granting of a U.S. patent on the above-identified application.

Respectfully submitted,



S. NEIL FELTHAM
ATTORNEY FOR APPLICANTS
US PTO REGISTRATION NO. 36,506
TELEPHONE: (302) 992-6460

Dated: 12/12/03
Enclosure: Deposit Receipts

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

DuPont Experimental Station
Attn: Robert S. Scott
E301/317
200 Powder Mill Road
PO BOX 80301
Wilmington, DE 19880-0301

Deposited on Behalf of: E. I. DuPont de Nemours and Company

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli strain containing plasmid: pCP20

PTA-4455

The deposit was accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposit was received June 13, 2002 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested June 19 2002. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris
Marie Harris, Patent Specialist, ATCC Patent Depository

Dat : July 15, 2002

cc: Neil Feltham
(Ref: Docket or Case No.: CL-1878)

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To: (Name and Address of Depositor or Attorney)

DuPont Company
Attn: Kyungok Wun-Kim
DuPont Experimental Station
E301/317
Wilmington, DE 19880

Deposited on Behalf of: DuPont Company

Identification Reference by Depositor:
Methylobionas: *Methylobionas* 16a sp.

Patent Deposit Designation
PTA-2402

The deposit was accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposit was received August 22, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested September 8, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:


Frank Simione, Director, Patent Depository

Date: November 16, 2000

cc: S. Neil Feltham (Ref: D cket or Case No.: BC-1039)

ATCC

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

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To: (Name and Address of Depositor or Attorney)

DuPont Experimental Station
Attn: Robert S. Scott
E301/317, 200 Powder Mill Road
P.O. Box 80301
Wilmington, DE 19880-0301

Deposited on Behalf of: E. I. du Pont de Nemours and Company

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli: WS#124: MG1655 pPCB15(chloramphenicol^R) PT5-dxs,
PT5-idi, PT5-ygbBP, yjeR::Tn5 .

PTA-4807

The deposit was accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposit was received November 20, 2002 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested December 16, 2002. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: January 3, 2003

cc: Neil Feltham
(Ref: Docket or Case No.: CL-2027)

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

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To: (Name and Address of Depositor or Attorney)

DuPont Experimental Station, E301,317
Attn: Robert S. Scott
200 Powder Mill Road
P.O. Box 80301
Wilmington, DE 19880-0301

Deposited on Behalf of: E. I. du Pont de Nemours and Company

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli: WS#208: MG1655 pDCQ108(tetracyclin^R) PT5-dxs,
PT5-idi, PT5-ybgBP, PT5-ispB, PT5-dxr(16a)

PTA-4823

The deposit was accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposit was received November 26, 2002 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested December 16, 2002. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: January 6, 2003

cc: Neil Feltham

(Ref: Docket or Case No: CL-2027)